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PATENT

NS-US045020

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Chinmoy Pal et al.

Patent Art Unit: 3636

Serial No. 10/790,227

Examiner: Stephen A. Vu

Filed: March 2, 2004

For: VEHICLE HEADREST APPARATUS

Sir:

Transmitted herewith is an Response in the above-identified application:

☒ No additional fee is required.

The fee has been calculated as shown below:

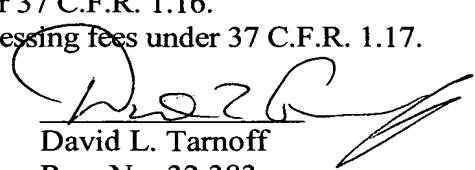
					<u>SMALL ENTITY</u>		<u>OTHER THAN A SMALL ENTITY</u>	
CLAIMS		HIGHEST NO. PREVIOUSLY PAID FOR		PRESENT EXTRA	ADDIT.		ADDIT.	
REMAINING AFTER AMENDMENT					RATE	FEE	RATE	FEE
TOTAL	20	- 20	=	0	x09 =	\$	x18 =	\$
INDEP	2	- 3	=	0	x43 =	\$	x86 =	\$
<input type="checkbox"/> 1ST PRESENTATION OF MULT. DEP. CLAIM					+145 =	\$	+290 =	\$
					TOTAL	\$	TOTAL	\$

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1836. A duplicate copy of this sheet is attached.

☒ Any additional excess claim fees under 37 C.F.R. 1.16.

☒ Any additional patent application processing fees under 37 C.F.R. 1.17.

Dated: 9-21-04


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Patent Art Unit: 3636

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RESPONSE TO ELECTION / RESTRICTION REQUIREMENT

Assistant Commissioner of Patents
Washington, DC 20231

Sir:

The election/restriction requirement dated September 2, 2004 holds that this application contains claims directed to four patentably distinct species. More specifically, Applicants are required to elect one of the following patentably distinct species for prosecution on the merits under 35 U.S.C. §121:

Species I - Figures 1-12;

Species II - Figure 13;

Species III- Figures 14 and 15; and

Species IV - Figures 16 and 17.

Additionally, the Office Action indicates that there are no generic claims. However, Applicants believe that at least claims 1 and 20 are generic claims.

In response, Applicants hereby elect **species I** as illustrated in Figures 1-12 *without* traverse. Applicants believe that claims 1-4, 10 and 13-20 read on Figures 1-12.

Accordingly, Applicants respectfully request examination of claims 1-4, 10 and 13-20 since they read on the elected species I as shown in Figures 1-12. Claims 5-9, 11 and 12 are

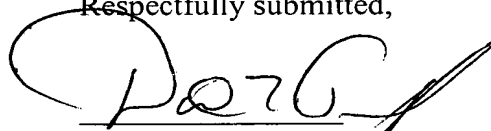
Appl. No. 10/790,227
Amendment dated September 21, 2004
Reply to Office Action of September 2, 2003

believed to be directed to a non-elected embodiment. Thus, claims 5-9, 11 and 12 can be withdrawn from consideration in this case. However, Applicants respectfully request that these non-elected claims be considered upon the allowance of a generic claim in accordance with U.S. patent practice.

* * *

Prompt examination on the merits is respectfully requested.

Respectfully submitted,


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